

III. REMARKS

The Advisory Office Action stated that the response to the Final Rejection did not place the application in condition for allowance in view of reasons set forth in the Advisory Action, including the examiner's position that applicant raised an argument based on inventive features that were not disclosed in the claims.

In the Final Office Action, claims 1-3 and 5-8 were rejected under 35 U.S.C. 103 as being unpatentable over Osawa (GB 2 275 800 A) in view of Gagnon (US 6,522,342) for reasons set forth in the Action. Claim 4 was rejected under 35 U.S.C. 103 as being unpatentable over Osawa in view of Gagnon and Darbee (US 6, 130,726), and claim 9 was rejected under 35 U.S.C. 103 as being unpatentable over Osawa in view of Gagnon for reasons set forth in the Office Action.

In this response, claim 1 is amended to recite an inventive feature in support of the Applicant's argument raised in the response to the Final Rejection. The amendment to claim 1 is believed to overcome the rejections of the Final Action, thereby to obtain allowable subject matter in the claims in view of the following argument.

As described in detail in the introductory portion of the specification, the present invention relates to a method for controlling a system comprising two or more application devices that can be controlled by a user using only one common control device.

A control information input, such as control instructions including a control command and/or control parameters, is

interpreted in accordance with available ones of the application devices of the electronic system. In accordance with the result of the interpretation of the control information, the corresponding application device is controlled.

If, for example, an available one of the application devices is a radio apparatus, the user may input the name of a radio station. Then, the input of the name of a radio station is interpreted in such a way that the system recognizes that the information input by the user is the name of a radio station, and that the user wishes to listen to this radio station. Therefore, according to this interpretation, a turn-on command (if necessary) and a radio station selection command are presented to the user for switching on the radio (if necessary) and to select the desired radio station.

As mentioned on page 2 of the specification, the practice of the inventive method for controlling a system makes it possible for the user to input control information or instructions without having to search through a permanently predetermined menu structure. Thus, it is not necessary for the user to select first a certain application device to be controlled, and then to select the desired control commands from a menu as is the practice in the prior art.

In contrast, Osawa teaches a remote control system for controlling a plurality of devices that is completely different from the present invention because the Osawa system uses a menu structure presented to a user for controlling a plurality of audio/video devices. The operation of the Osawa system is described in a previous response. The following aspects are emphasized.

To illustrate the difference between the present invention and the teaching of Osawa more clearly, let us assume that a user wishes to listen to a certain radio station by implementing the Osawa system. Various steps are required:

- At first, the user has to turn on the system (if necessary) and has to wait for the completion of the setting-up procedure, i.e. for the presentation of the available audio/video source devices of the system.
- Then the user has to select the tuner as the desired audio/video source device.
- When the different possible control commands for the tuner are presented to the user, the user then touches a radio station selection field of the touch screen for directly inputting a command for selecting the desired radio station. This is the usual way for operating any radio apparatus of the prior art.

However, the methodology of the present invention differs from the foregoing practice of the prior art. The user of the present method inputs only the name of a radio station, and all other control steps are done by the system in accordance with the invention.

As a further ground of distinction between the present invention and the teachings of Osawa, it is noted that present figure 3 deals with the issue as to whether instruction interpretation is unambiguous, in which case the present system would ask the user for further data if required. Such situations are disclosed in the present specification on page 8.

The matter of the unambiguous instruction interpretation does not appear in any of the figures of Osawa. This matter does not appear in Osawa because Osawa (page 2) discloses operation of a remote controller, suitable for an audiovisual system of several devices, wherein the operation is in hierarchical format, and enables the user to select one of a plurality of displayed devices (page 3 at line 5).

The examiner has acknowledged that Osawa does not teach all of the inventive features, and relies on a combination of the teachings of Osawa with the teachings of Gagnon in an attempt to provide a description of the present invention. This position of the examiner is traversed respectfully. An analysis of the Gagnon teachings is provided in a previous response. However, the following teachings are emphasized.

According to Gagnon column 34, lines 5 to 65 which is referred to by the Examiner "each download service (e g. each web cast, each software download, etc.) has its own SDP+ record, which is broadcast to all subscribers to inform them of the information that is available for download". According to column 10, Lines 31 to 47 the SDP+ records are periodically broadcast by a transmission station to inform the user of when and what IP address a large file will be broadcast. These SDP+ records are processed to produce a schedule of all data service information that will be broadcast by the transmission station. Further, the SDP+ records are used by a graphical user interface to display a destination page on the user's PC system monitor.

In this situation of the hierarchical presentation of menus of Osawa plus the extensive listing of records by Gagnon, the user

is forced to proceed in a manner contrary to the practice of the present invention. The user does not have the opportunity to enter a simple command, such as the name of a radio station, as in the practice of the present invention. Rather, the user must read extensive listings of successive menus in accordance with the practice of the prior art.

In contrast, according to the present invention, a user can input any control command for any of available application devices without pre-selecting the target application device. The control command will be interpreted by a system, operating in accordance with the present invention, to identify an applicable one of the available application devices, or possibly more than one application device if the control information is ambiguous. If there is an ambiguity, the present invention will seek clarifying information from the user, so as to resolve the ambiguity.

For example, if the user wants to watch the video channel CSN, the user needs to provide the control command or information "CSN" to the terminal. Then, it is checked whether this control information is known (i.e., "CSN" describes a valid video channel and a video channel receiver is active), unambiguous (CSN indicates only a video channel, but no other radio or audio channel or the like), and complete (no other information is necessary to perform an action, here to switch over to the CSN video channel).

On the other hand, as described by Gagnon in column 17, lines 56 to 60, the user who wants to watch the video channel CSN needs to access the main menu page, to select the multi-segment

program guide, to view the grid-based channel guide and to select the TV channel that he/she wants to view.

In view of the foregoing, there is agreement between the two references, Osawa and Gagnon, that the appropriate way to build an interface for a user is to present the user with numerous listings of choices set forth in a sequence of multiple menus. But this combined teaching of Osaawa and Gagnon is the antithesis of the teaching of the present invention which is directed to elimination of the need to read through long lists of options before attaining a desired function from a system controller.

The examiner has noted in the Final Action (bottom paragraph of page 2) that Osawa fails to show a major feature of the present invention, namely the ability to process requests from a user manifested by control information that is not part of a predetermined menu structure. The examiner refers to Gagnon to provide the missing teaching. In view of the foregoing argument, it appears that there is no motivation to combine the two references, nor does it appear that the two references can be combined, to provide or suggest the present invention. The examiner has contested this opinion of the Applicant in the Advisory Action by citing passages in Gagnon (Col. 1 at lines 5-15, and col. 4 at lines 25-38) to show that there is motivation to combine the two references. Both of the cited passages deal with program guides, wherein the second passage notes a mode of display that facilitates selection of programs and services. Applicant agrees that there would be motivation to combine the references to show the construction of listings of programs and services available to a user of a system combining the data listing features of Osawa and Gagnon. However, as noted above,

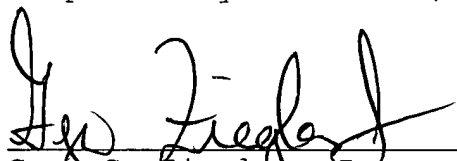
this combined teaching is the antithesis of the practice of the present invention which is designed to avoid the task of reading lists of data entries. Therefore, it is urged that there would be no motivation to use the teachings of Osawa or Gagnon or a combination of their teachings by a person seeking to build the present invention.

A new claim 10 is presented to emphasize the inventive features so as to distinguish the present invention from the cited art.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check including the amount of \$900 is enclosed for the three-month extension of time fee. The amount of \$120 for a one-month extension was previously paid. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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Reg. No. 44,004

7 July 2005
Date

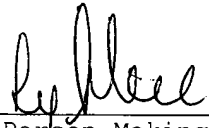
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